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PATENT

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David H. Britishian, Reg. No. 40,532

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Stephen P. Moenning

Serial No.:

10/727,120 (Divisional of U.S. Serial No. 09/934,399 filed

August 21, 2001)

Filed:

December 3, 2003

Art Unit:

Unknown

Confirmation No.: Examiner:

Unknown Unknown

Title:

MINIMALLY INVASIVE MEDICAL APPARATUS FOR

DISPENSING A BIOLOGICALLY ACTIVE COMPOUND AND AN ASSOCIATED MEDICAL PROCEDURE FOR DISPENSING A

BIOLOGICALLY ACTIVE COMPOUND

Our Ref. No.:

MOEN-04B

Cincinnati, Ohio 45202

February 19, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

SECOND PRELIMINARYAMENDMENT TRANSMITTAL

1.	Transmitted	herewith	is an	amendment	for	this	application.
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2. X Small Entity status is claimed.

____ Other than a Small Entity.

3. The fee has been calculated as shown below:

Page 1 of 3

(Col. 1)		(Col.	. 2)	(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. E Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	22	MINUS	20	= 2	x \$9	\$18	x \$18	\$0
INDEP.	5	MINUS	3	= 2	x \$43	\$86	x \$86	\$0
FIRST PRE	SENTATIO	N OF MULT	IPLE DEP	+ \$145	\$O	+\$290	\$0	
		TOTALS		TOTAL FEE	\$104	TOTAL FEE	\$0	

☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

增加 If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

화학 If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

 Νo	additional	fee fo	ого	laims	is	required.

- 4. Attached is a check in the sum of \$ ____.
 - X Please charge my Deposit Account No. 23-3000 in the amount of \$104.00 for the fee as required in 37 C.F.R. 1.16(b) and 37 C.F.R. 1.16(c).

A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) ____ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below;

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				Fe	e for				
			Extension	other than		Fee for			
			<u>(months)</u>	sm	all entity	small entity			
			one month	\$	110.00	\$ 55.00			
		<u> </u>	two months	\$	420.00	\$210.00			
			three months	\$	950.00	\$475.00			
		· · · · ·	four months	\$1	,480.00	\$740.00			
	Attached is a check in the amount of \$ for the the extension fee as required by 37 C.F.R. § 1.17(c).								
		quired, please consider							
		(Chec	k and complete t	he r	ext item, if	applicable)			
	paid 1 mont	thereof	of \$ is dedu xtension now req	icte Jues	d from the	been secured and the fee total fee due for the total sion fee due with this			
(b)	XX	Howe the po	ver, this condition	nal Iicai	petition is b nt has inadv	of time is required. eing made to provide for vertently overlooked the ne.			
	XX	charg		it N		nsion of time is required, . A duplicate of this			

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

David H. Brinkman Beg. No. 40,532

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